



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land – Helping to build great communities

February 23, 2016

RRM Design Group
Attn: Victor Montgomery
3765 South Higuera Street Suite #102
San Luis Obispo, CA 93401

Janneck Limited
1124 Tower Rd.
Beverly Hills, CA 90210

SUBJECT: APPEAL OF LAETITIA AGRICULTURAL CLUSTER
COUNTY FILE NUMBER: SUB2003-00001 / DRC2003-00001
HEARING DATE: FEBRUARY 11, 2016

We have received your request on the above referenced matter. In accordance with County Real Property Division Ordinance Section 21.04.020, Land Use Ordinance Section 22.70.050, and the County Coastal Zone Land Use Ordinance 23.01.043, the matter will be scheduled for public hearing before the Board of Supervisors. A copy of the appeal is attached.

The public hearing will be held in the Board of Supervisors' Chambers, County Government Center, San Luis Obispo. As soon as we get a firm hearing date and the public notice goes out you will receive a copy of the notice.

Please feel free to telephone me at 781-5718 if you have any questions.

Sincerely,

Nicole Retana, Secretary
County Planning Department

CC: Brian Pedrotti, Project Manager
Steve McMasters, Supervising Planner
Whitney McDonald, County Counsel

#913



INLAND APPEAL FORM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

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Please Note: An appeal should be filed by an aggrieved person or the applicant at each stage in the process if they are still unsatisfied by the last action.

PROJECT INFORMATION

Name: Laetitia Agricultural Cluster File Number: SUB 2003-00001 and DRC 2003-00001
(Tentative Tract Map and Conditional Use Permit)

Type of permit being appealed:

- ☐ Plot Plan ☐ Site Plan ☐ Minor Use Permit ☒ Development Plan/Conditional Use Permit
☐ Variance ☐ Land Division ☐ Lot Line Adjustment ☒ Other: Vesting Tentative Tract Map

The decision was made by:

- ☐ Planning Director (Staff) ☐ Building Official ☐ Planning Department Hearing Officer
☐ Subdivision Review Board ☒ Planning Commission ☐ Other _____

Date the application was acted on: February 11, 2016

The decision is appealed to:

- ☐ Board of Construction Appeals ☐ Board of Handicapped Access
☐ Planning Commission ☒ Board of Supervisors

BASIS FOR APPEAL

State the basis of the appeal. Clearly state the reasons for the appeal. In the case of a Construction Code Appeal, note specific code name and sections disputed). (Attach additional sheets if necessary)

Appeal of the Planning Commission's denial of the application for a Vesting Tentative Tract Map and Conditional Use Permit.

See Attached.

List any conditions that are being appealed and give reasons why you think it should be modified or removed.

Condition Number _____ Reason for appeal (attach additional sheets if necessary)

Because project was denied, no conditions were approved and thus, no conditions to appeal.

APPELLANT INFORMATION

Print name: Janneck, Limited (Mr. John Janneck); RRM Design Group (Mr. Victor Montgomery)

Address: 1124 Tower Road, Beverly Hills, CA 90210; 3765 South Higuera Street, Suite 102, San Luis Obispo, CA 93401

Phone Number (daytime): (805) 543-1794

We have completed this form accurately and declare all statements made here are true.

[Signature]
Signature

2/23/2016
Date

OFFICE USE ONLY

Date Received: 2/23/2016

Amount Paid: \$850.00

By: [Signature]

Receipt No. (if applicable): _____

INLAND APPEAL FORM
SAN LUIS OBISPO COUNTY PLANNING & BUILDING
SLOPLANNING.ORG

PAGE 2 OF 2
APR 23, 2015
PLANNING@CO.SLO.CA.US
DEPT
PLANNING/BUILDING
92:2 PM 2:26

INLAND APPEAL FORM (Additional Sheet)

Project Name: Janneck, Limited Laetitia Agricultural Cluster

File Number: SUB2003-00001 and DRC2003-00001

BASIS FOR APPEAL (cont'd): The project applicant appeals the Planning Commission's denial of the application for a vesting tentative tract map and conditional use permit because the grounds stated as the reasons for denial are not supported by the administrative record or the environmental impact report for the project.

The Planning Commission expressed general support for the project and lauded its design but ultimately disapproved the project on two grounds. First, the Commission stated a lack of water for the project. However, both the applicant's hydrogeologist (Cleath-Harris Geologists) and the independent hydrogeologist hired by the County of San Luis Obispo (Geosyntec) concluded that the proposed wells for the project would provide more than adequate water for the project's estimated water demand. The environmental impact report concluded that there were no Class I impacts associated with water supply for the project. The Commission's decision was not supported by substantial evidence in the record.

Second, the Commission found that the project did not have adequate emergency access. The administrative record demonstrates that the existing property has access rights to Highway 101 from Laetitia Vineyard Drive (Drive) vis-à-vis a 1955 grant deed with the State of California and thus legal use of the Drive for all uses. The applicant is not seeking any approvals from Caltrans for use of the Drive, and therefore, Caltrans has no jurisdiction over this matter. Moreover, the applicant satisfied the requirements of Cal Fire by agreeing to a no-notice gate to allow free-flow egress to the Drive during an emergency while stationing a 24-hour per day, 7 days per week, 365 days per year guard to prohibit all other non-emergency trips.

The applicant asks the Board of Supervisors to reverse the Planning Commission's denial of the Vesting Tentative Tract Map and Conditional Use Permit and asks the Board of Supervisors to approve the Applicant Proposed Mitigated Project Alternative, as described and analyzed in the environmental impact report and as shown in the revised Vesting Tentative Tract Map dated August 20, 2015.



2/23/2016
3:40:02PM

San Luis Obispo County Department of Planning and Building

County Government Center San Luis Obispo, California 93408 Telephone: (805) 781-5600

Receipt #: 22201500000000002389

Date: 02/23/2016

Line Items:

Case No	Last Name	Tran Code	Description	Revenue Account No	Amount Paid
		APPEAL	Appeal to Board of Supervisors Fee -	1420000-1000000000-142S23	850.00
			PDA -4350106		
Line Item Total:					\$850.00

Payments:

Method	Payer	Bank No	Account No	Confirm No	How Received	Amount Paid
Check	RRM DESIGN GROUP		90312		In Person	850.00
Payment Total:						\$850.00

Balance



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land – Helping to build great communities

MEMORANDUM

DATE: February 23, 2016

TO: WHITNEY MCDONALD, COUNTY COUNSEL

FROM: NICOLE RETANA, PLANNING and BUILDING DEPARTMENT

RE: **APPEAL OF LAETITIA AGRICULTURAL CLUSTER**
COUNTY FILE NUMBER: SUB2003-00001 (DRC2003-00001)
PLANNING COMMISSION – FEBRUARY 11, 2016

Please find attached copies of associated correspondence which have been forwarded to the Project Manager and Supervisor.